

Exhibit 49

United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci
In Support of Plaintiff's Motion for Partial Summary Judgment and
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment



P.O. Box 16532 • Columbus, Ohio 43216-8532 • Phone 614/276-4000 • Fax 614/274-0974

October 27, 1998

Ms. Susan M. Rhodus, R.Ph.
Vice President of Operations
GerMed
9707 Shelbyville Road
Louisville, KY 40223

FILE COPY

Dear Ms. Rhodus:

Due to changes in market conditions, Roxane Laboratories, Inc. is pleased to offer the following price reduction(s) for item(s) on our current agreement.

<u>NDC NO. 00054-</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>
8402-11	Ipratropium Bromide Inhalation Solution, 0.02%, 25x2.5mL vials in a foil pouch	\$ 15.00/25x2.5mL	\$ 44.06
8402-13	Ipratropium Bromide Inhalation Solution, 0.02%, 30x2.5mL vials in a foil pouch	\$ 18.00/30x2.5mL	\$52.87
8402-21	Ipratropium Bromide Inhalation Solution, 0.02%, 60x2.5mL vials in a foil pouch	\$ 36.00/60x2.5mL	\$105.74

These price(s) will be effective November 5, 1998 through July 31, 2000.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext:2564. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

NOTE TO WHOLESALE(S):

Should you receive a copy of this offer from the customer expecting to be billed at this/these price(s) but have not received a confirming "Award Notification" from Roxane, please contact the undersigned immediately in order to avoid misbillings and rejected chargeback claims. Thank you.

Prices contained in this offer are to be treated as confidential and should not be shared with anyone outside of your facility.

Best regards,

Kelli S. Self

Kelli S. Self
Supervisor, Bids & Contracts

KSS/bjr

File #:9803016

cc: T. Via

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ROX-TX 03953

RoxCT0062916

Via EXHIBIT# 11
10-18-05 PAGES



P.O. Box 16532 • Columbus, Ohio 43216-6532 • Phone 614/276-4000 • Fax 614/274-0974

November 23, 1998

Ms. Susan M. Rhodus, R.Ph.
Vice President of Operations
Gerimed
9707 Shelbyville Road
Louisville, KY 40223

FILE COPY

Dear Ms. Rhodus:

Due to changes in market conditions, Roxane Laboratories, Inc. is pleased to offer the following price reduction(s) for item(s) on our current agreement.

<u>NDC NO. 00054-</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>
8402-11	Ipratropium Bromide Inhalation Solution, 0.02%, 25x2.5mL vials in a foil pouch	\$ 13.50/25x2.5mL	\$ 44.06
8402-13	Ipratropium Bromide Inhalation Solution, 0.02%, 30x2.5mL vials in a foil pouch	\$ 16.20/30x2.5mL	\$ 52.87
8402-21	Ipratropium Bromide Inhalation Solution, 0.02%, 60x2.5mL vials in a foil pouch	\$ 32.40/60x2.5mL	\$105.74

These prices will be effective December 1, 1998 through July 31, 2000.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext.2564. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

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Best regards,

Kelli S. Self
Supervisor, Bids & Contracts

KSS/bjr

File #:9803016

cc: T. Via

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...endings must not be passed through the company...

1 • 8 0 0 • 3 3 5 • 9 1 0 0

ROX-TX 03948



Boehringer Ingelheim
Roxane Laboratories

FILE COPY

June 23, 1999

Roxane Laboratories, Inc.

Ms. Susan M. Rhodus
Vice President of Operations
GerMed
9707 Shelbyville Road
Louisville, KY 40223

Dear Ms. Rhodus:

Due to changes in market conditions, Roxane Laboratories, Inc. is pleased to offer the following price reduction(s) for item(s) on our current agreement.

<u>NDC NO. 00054-</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>
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****SEE ATTACHED PRODUCTS****

These prices will be effective July 15, 1999 through July 31, 2000.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext:2564. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

P. O. Box 16532
Columbus, Ohio 43216-6532
Telephone (614) 276-4000
Telefax (614) 274-0974

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Best regards,

Kelli S. Self

Kelli S. Self
Supervisor, Bids & Contracts

KSS/bjr

File #:9803016

cc: T. Via

ROX-TX 03945

JxCT0062908



Boehringer Ingelheim
Roxane Laboratories

June 23, 1999
Ms. Susan M. Rhodus
GeriMed
Page 2

<u>NDC</u> <u>NO. 00054-</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>
3154-40	Cocaine Hydrochloride Topical Solution 4% 10mL Multi-Dose Glass Bottle (Each mL contains Cocaine Hydrochloride 40mg)	\$ 26.50/10mL	\$ 50.35
8163-03	Cocaine Hydrochloride Topical Solution 4% Unit Dose 4mL Glass Bottle (Each mL contains Cocaine Hydrochloride 40mg)	\$ 48.00/5x4mL	\$101.85
3155-40	Cocaine Hydrochloride Topical Solution 10% 10mL Multi-Dose Glass Bottle (Each mL contains Cocaine Hydrochloride 100mg)	\$ 50.25/10mL	\$ 86.37
8164-03	Cocaine Hydrochloride Topical Solution 10% Unit Dose 4mL Glass Bottle (Each mL contains Cocaine Hydrochloride 100mg)	\$ 82.00/5x4mL	\$173.99
8402-11	Ipratropium Bromide Inhalation Solution, 0.02%, 25x2.5mL vials in a foil pouch	\$ 13.00/25x2.5mL	\$ 44.06
8402-13	Ipratropium Bromide Inhalation Solution, 0.02%, 30x2.5mL vials in a foil pouch	\$ 15.60/30x2.5mL	\$ 52.87
8402-21	Ipratropium Bromide Inhalation Solution, 0.02%, 60x2.5mL vials in a foil pouch	\$ 31.20/60x2.5mL	\$105.74
4550-15	Methotrexate Tablets, 2.5mg, Bottle of 36	\$ 29.04/36	\$133.88
4550-25	Methotrexate Tablets, 2.5mg, Bottle of 100	\$ 56.64/C	\$305.16

File#9803016

ROX-TX 03946

.oxCT0062909



Boehringer Ingelheim
Roxane Laboratories

October 21, 1999

Ms. Susan M. Rhodus, R.Ph.
Vice President of Operations
Gerimed
9707 Shelbyville Road
Louisville, KY 40223

FILE COPY

Dear Ms. Rhodus:

Due to changes in market conditions, Roxane Laboratories, Inc. offers the following price reduction(s) for item(s) on our current agreement.

<u>NDC</u>				
<u>NO. 00054-</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>	
8402-11	Ipratropium Bromide Inhalation Solution, 0.02%, 25x2.5mL vials in a foil pouch	\$ 12.00/25x2.5mL	\$ 44.06	
8402-13	Ipratropium Bromide Inhalation Solution, 0.02%, 30x2.5mL vials in a foil pouch	\$ 14.40/30x2.5mL	\$ 52.87	
8402-21	Ipratropium Bromide Inhalation Solution, 0.02%, 60x2.5mL vials in a foil pouch	\$ 28.80/60x2.5mL	\$ 105.74	

These prices will be effective October 21, 1999 through July 31, 2000.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext:2564. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

NOTE TO WHOLESALER(S):

Should you receive a copy of this offer from the customer expecting to be billed at these prices but have not received a confirming "Award Notification" from Roxane, please contact the undersigned immediately in order to avoid misbillings and rejected chargeback claims. Thank you.

Prices contained in this offer are to be treated as confidential and should not be shared with anyone outside of your facility.

Best regards,

Kelli S. Self

Kelli S. Self
Supervisor, Bids & Contracts

KSS/bjr

File #:9803016

cc: T. Via

ROX-TX 03939

RoxCT0062902



Boehringer Ingelheim
Roxane Laboratories

March 3, 2000

FILE COPY

Roxane Laboratories, Inc.

Mr. Donald L. Mays, R.Ph.
Vice President, Pharmacy Services
GerilMed
9707 Shelbyville Road
Louisville, KY 40223

Dear Mr. Mays:

Due to changes in market conditions, Roxane Laboratories, Inc. offers the following price reductions for the following items on our current Agreement.

<u>NDC</u> <u>NO. 00054</u>	<u>PRODUCT DESCRIPTION</u>	<u>PRICE</u>	<u>AWP</u>
8402-11	Ipratropium Bromide Inhalation Solution, 0.02%, 25x2.5mL vials in a foil pouch	\$ 11.32/25x2.5mL	\$ 44.06
8402-13	Ipratropium Bromide Inhalation Solution, 0.02%, 30x2.5mL vials in a foil pouch	\$ 13.58/30x2.5mL	\$ 52.87
8402-21	Ipratropium Bromide Inhalation Solution, 0.02%, 60x2.5mL vials in a foil pouch	\$ 27.17/60x2.5mL	\$105.74

P. O. Box 16532
Columbus, Ohio 43216-6532
Telephone (614) 276-4000
Telefax (614) 274-0974

These prices will be effective March 15, 2000 through July 31, 2000.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext:2564. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

NOTE TO WHOLESALER(S):

Should you receive a copy of this offer from the customer expecting to be billed at these prices but have not received a confirming "Award Notification" from Roxane, please contact the undersigned immediately in order to avoid misbillings and rejected chargeback claims. Thank you.

In the event a Roxane multi-source item should, at a later date, become a sole-source or a sole-generic item available exclusively from Roxane, the company reserves the option to adjust the contract prices awarded prior to the original contract expiration date.

Roxane Laboratories, Inc. and you shall maintain the confidentiality of the terms and conditions of this agreement for its duration and for three years following. Any breach of this confidentiality is cause for immediate termination of this agreement.

ROX-TX 03935

RoxCT0062898



Boehringer Ingelheim
Roxane Laboratories

March 3, 2000
Mr. Donald L. Mays, R.Ph.
GeriMed
Page 2

Best regards,

Kelli S. Self

Kelli S. Self
Contract Analyst II

KSS/bjr

File #:9803016

cc: T. Via

ROX-TX 03936

RoxCT0062899